

PATENT APPLICATION
Mo5334
LeA 32,322

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF)
STEFAN DUTZMANN ET AL) GROUP NO.: 1616
SERIAL NUMBER: TO BE ASSIGNED)
FILED: HEREWITH) EXAMINER: A. ROBINSON
TITLE: FUNGICIDE ACTIVE)
SUBSTANCE COMBINATIONS)

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

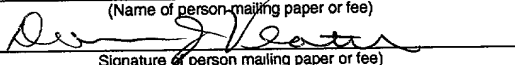
Upon the granting of a Serial Number and Filing Date and prior to the examination of the subject application, please amend the application as follows:

"Express Mail" mailing label number EX633383318US
Date of Deposit 4/26/01

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231

Donna J. Veatch

(Name of person mailing paper or fee)



(Signature of person mailing paper or fee)

IN THE TITLE:

On page 1, line 1, please delete "Fungicidal active compound" and insert
- -Fungicide active substance- - before "combinations."

After the title and before the first line of specification, please add: -- This
application is a divisional application of serial number 09/402,866, filed October 13,
1999.- -

IN THE SPECIFICATION:

On page 19, please delete the paragraph beginning on line 26 and ending on
line 30 and replace it with the following:

--The active compound combinations according to the invention are
particularly suitable for controlling cereal diseases, such as Erysiphe, Puccinia and
Fusarium, and for controlling diseases encountered in viticulture, such as Uncinula,
Plasmopara and Botrytis, and furthermore in dicotyledonous crops for controlling
powdery and downy mildew fungi and causative organisms of leaf spot.--

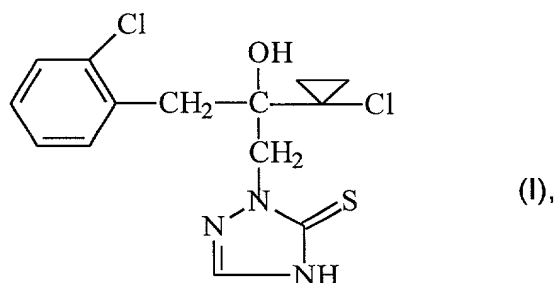
IN THE CLAIMS:

Please cancel Claims 1 through 5.

Please add the following new claims:

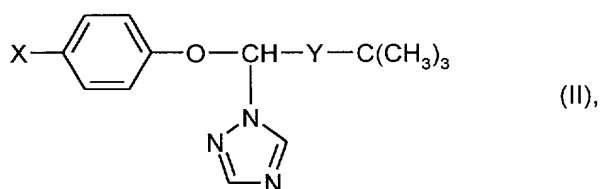
6. A fungicidal composition comprising an active compound combination comprising

- (a) a 2-[2-(1-chlorocyclopropyl)-3-(2-chlorophenyl)-2-hydroxypropyl]2,4-dihydro-[1,2,4]-triazole-3-thione of the formula



and

- (b) an active compound selected from the group consisting of
 (1) a triazole derivative of the formula

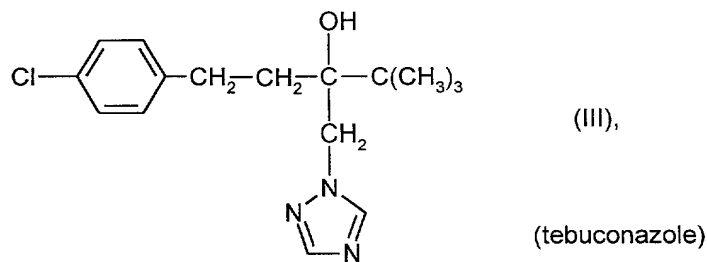


wherein

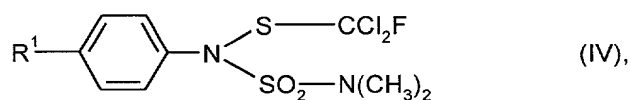
X represents chlorine or phenyl, and

Y represents $\text{—}\overset{\text{O}}{\underset{\text{||}}{\text{C}}}\text{—}$ or $\text{—}\overset{\text{OH}}{\underset{|}{\text{CH}}}\text{—}$,

- (2) a triazole derivative of the formula



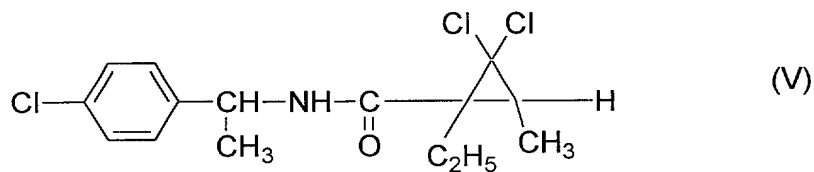
- (3) an aniline derivative of the formula



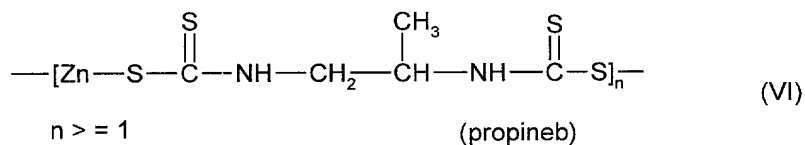
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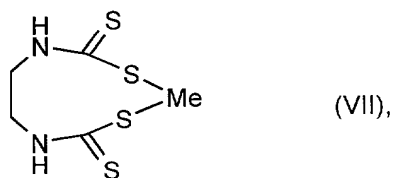
- (4) an N-[1-(4-chloro-phenyl)-ethyl]-2,2-dichloro-1-ethyl-3-methyl-cyclopropane-carboxamide of the formula



- (5) a zinc propylene-1,2-bis(dithiocarbamate) of the formula



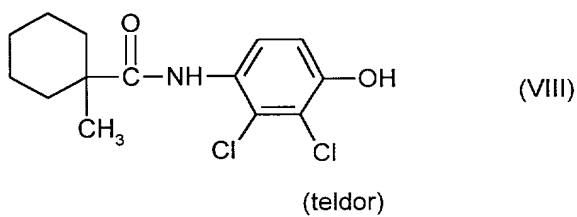
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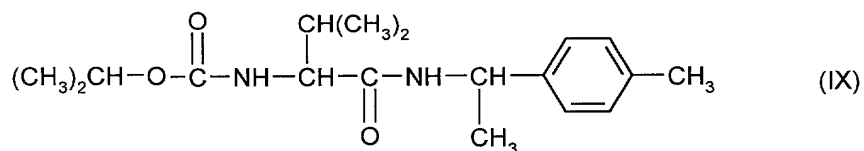
wherein

Me = Zn or Mn or a mixture of Zn and Mn,

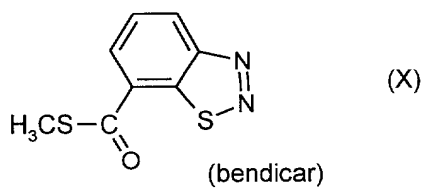
- (7) an aniline derivative of the formula



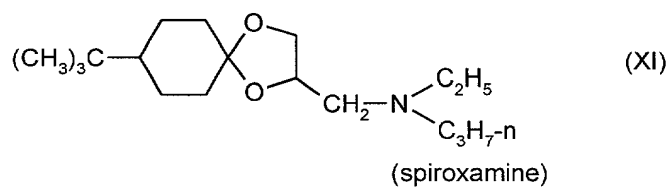
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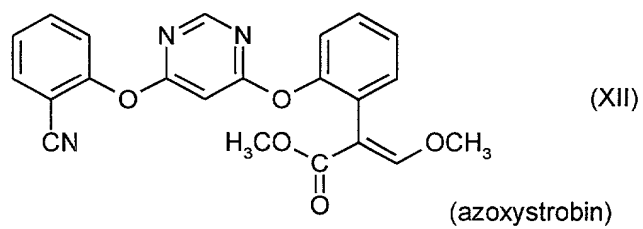
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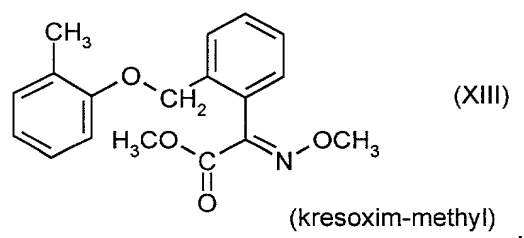
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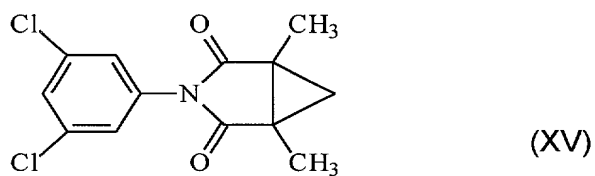
(11) a compound of the formula



(12) a compound of the formula



(14) a dicarboxamide of the formula



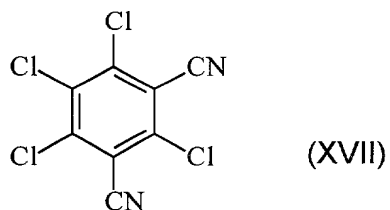
(15) a pyrimidine derivative of the formula



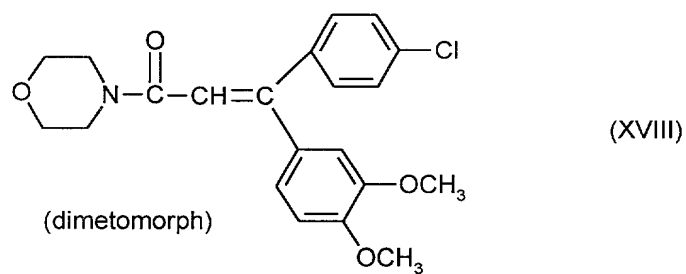
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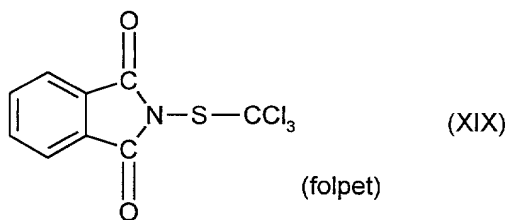
(16) an aniline derivative of the formula



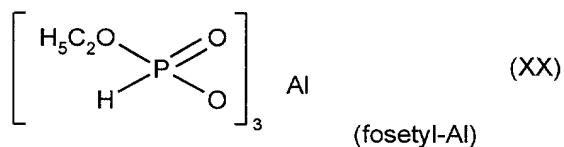
(17) a morpholine derivative of the formula



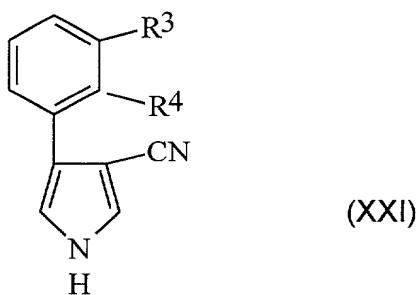
(18) a phthalimide derivative of the formula



- (19) a phosphorus compound of the formula

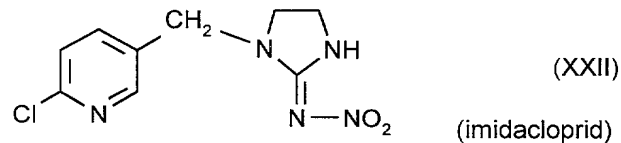


- (20) a phenylpyrrole derivative of the formula

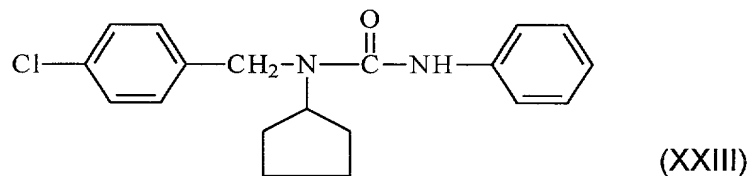


wherein R³ and R⁴ each represent chlorine or together represent a radical of the formula -O-CF₂-O-,

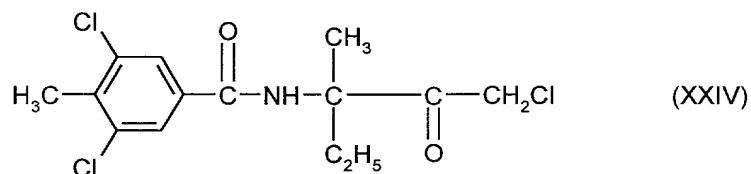
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(22) a phenylurea derivative of the formula

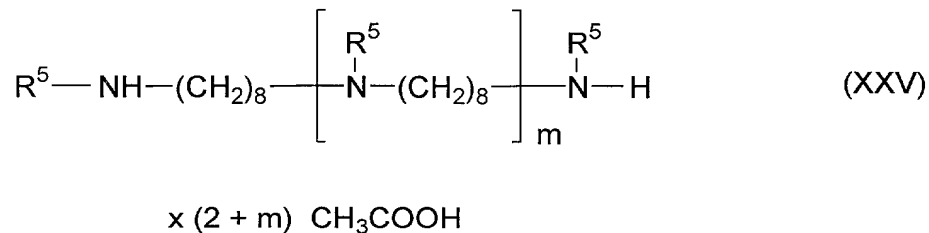


(23) a benzamide derivative of the formula



, and

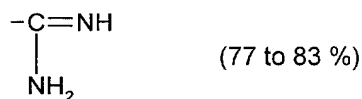
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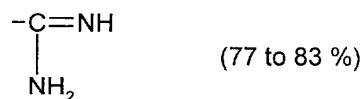
wherein

m represents an integer from 0 to 5 and

R⁵ represents hydrogen or the radical of the formula



wherein the hydrogen is present in an amount between 17 to 23 % of the total R⁵ groups and the radical of the formula



is present in a ratio of between 77 and 83% of the total R³ groups.

7. A composition according to Claim 6 comprising active compound combinations wherein a weight ratio of active compound of the formula (I) to

- active compound (1) between 1:0.1 and 1:20,
- active compound (2) between 1:0.1 and 1:20,
- active compound (3) between 1:0.2 and 1:150,
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- active compound (16) between 1:1 and 1:50,
- active compound (17) between 1:1 and 1:20,
- active compound (18) between 1:1 and 1:50,
- active compound (19) between 1:1 and 1:50,
- active compound (20) between 1:0.1 and 1:10,
- active compound (21) between 1:0.05 and 1:20,
- active compound (22) between 1:0.1 and 1:10,
- active compound (23) between 1:0.1 and 1:10, and
- active compound (24) between 1:0.1 and 1:10 is present.

8. A method for controlling fungi comprising applying active compound combinations according to Claim 6 to the fungi and/or their habitat.

9. A process for preparing fungicidal compositions comprising mixing active compound combinations according to Claim 6 with extenders and/or surfactants.--

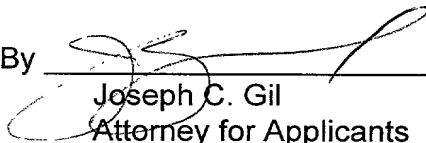
REMARKS

Applicants respectfully request entry of their preliminary amendment. An action on the merits is respectfully requested.

Respectfully submitted,

STEFAN DUTZMANN
KLAUS STENZEL
MANFRED JAUTELAT

By


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Attorney for Applicants
Reg. No. 26,602

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(412) 777-8363
/vjt/JCG2420

VERSION WITH MARKINGS TO SHOW CHANGES

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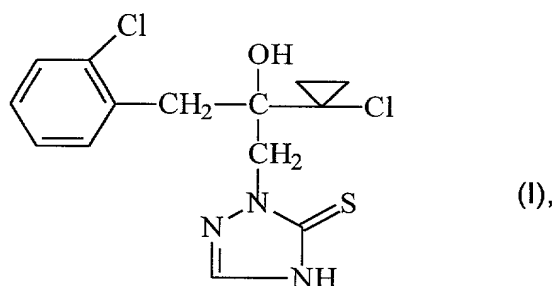
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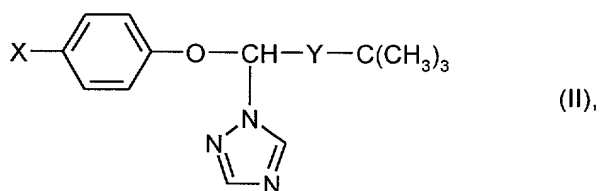
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Mo5334

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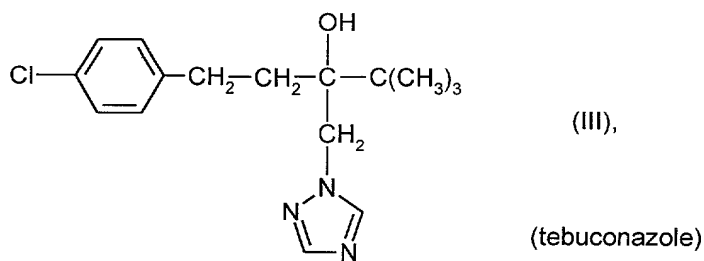


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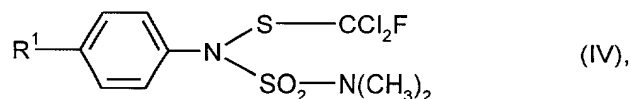
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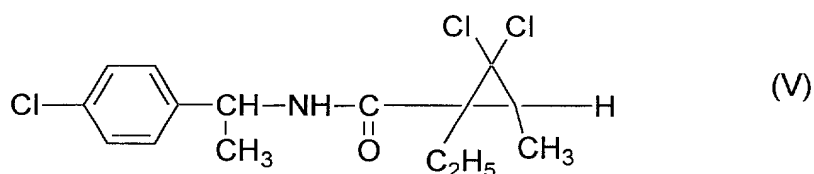
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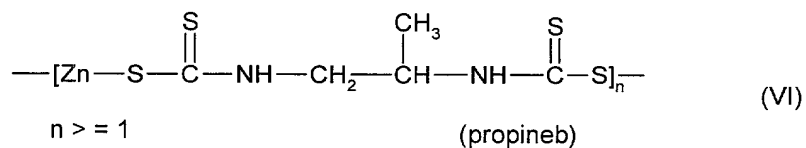
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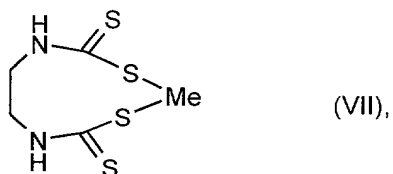
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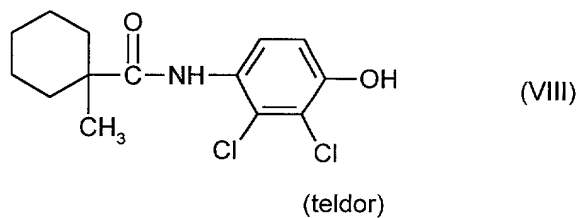
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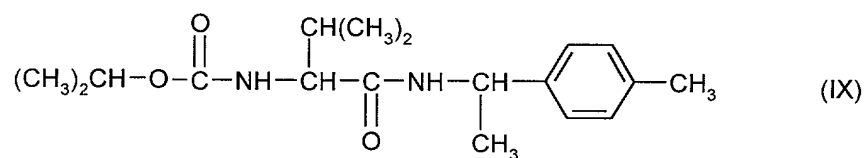
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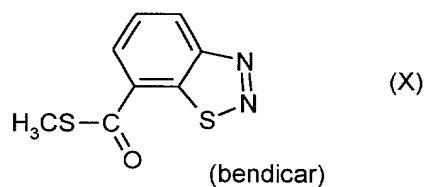
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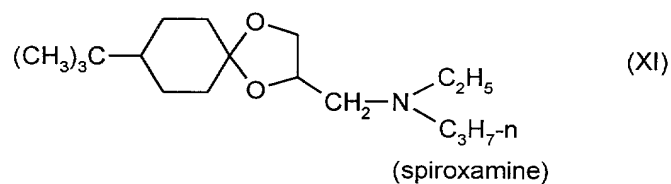
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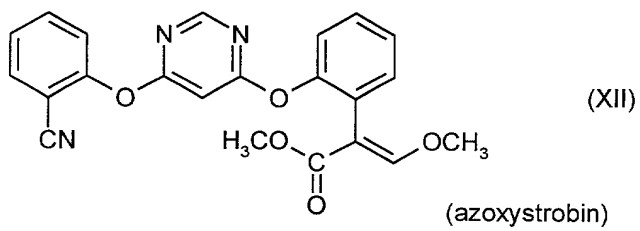
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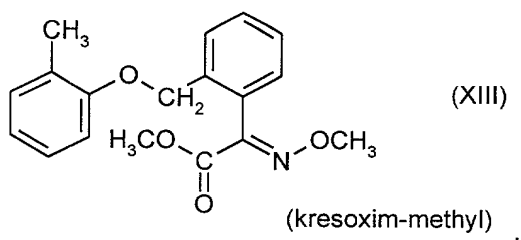
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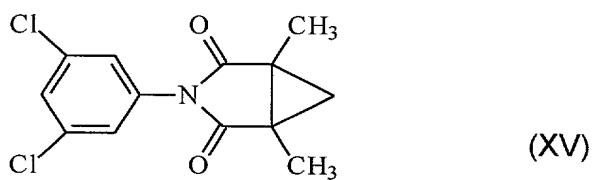
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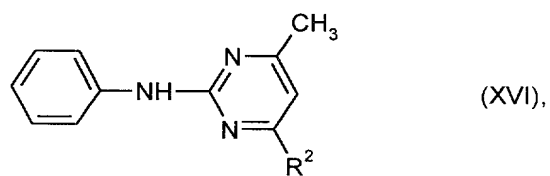
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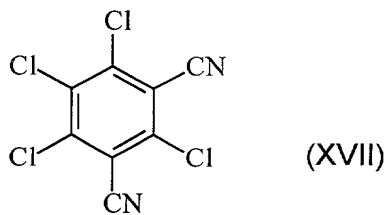
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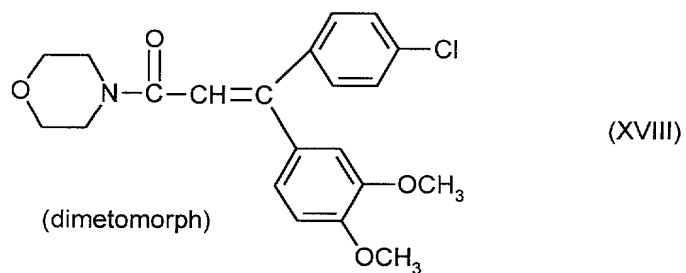
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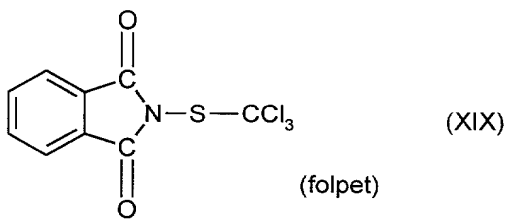
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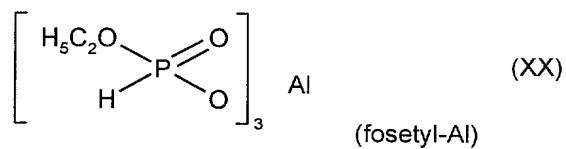
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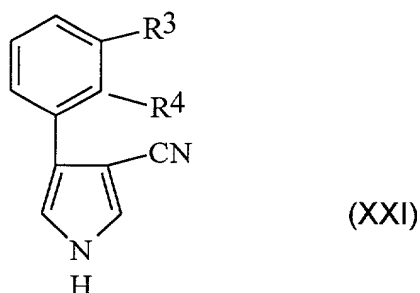
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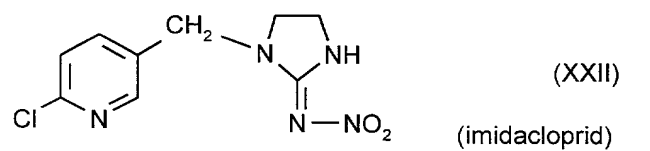


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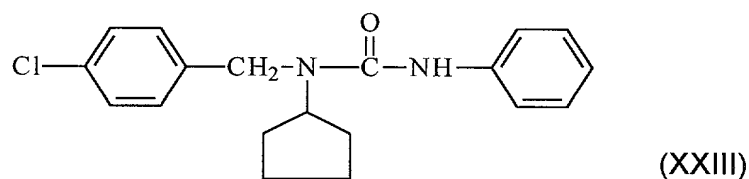


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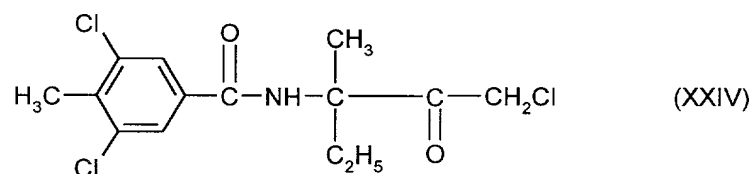
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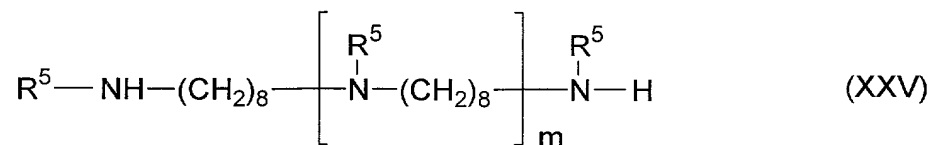


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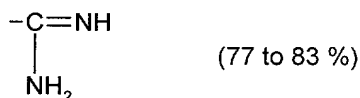
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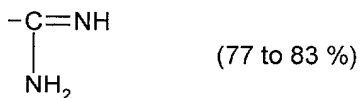
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